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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/672,360

09/26/2003

Anthony M. Talarico

90687

3040

24628

7590

11/04/2005

WELSH & KATZ, LTD
120 S RIVERSIDE PLAZA
22ND FLOOR
CHICAGO, IL 60606

EXAMINER

HAGINS, SAMUEL L

ART UNIT

PAPER NUMBER

2841

DATE MAILED: 11/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/672,360

Applicant(s)

TALARICO, ANTHONY M.

Examiner

Samuel L. Hagins

Art Unit

2841

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 September 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 6/4/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Drawings

The drawings are objected to because in the description of the invention page 5 paragraph 0013 line 6-11 62 is use in place of 58, and page 6 paragraph 0014 line 4 78 is use in place of 90 the numbers do not match with the numbers in fig. 1 and 3.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement-drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

Claim 1 objected to because of the following informalities: The term "diarizing" in claim 1 of the preamble is not in Merriam-Webster's collegiate dictionary a relative term, which renders the claim indefinite. The term "diarizing " is not defined by the claim, the specification does not provide a standard for ascertaining the meaning, and one of ordinary skill in the art would not be reasonably appraised of the scope of the invention. To examine claims examiner assumes that diarizing means logging or recording. Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-6 and 8-10 rejected under 35 U.S.C. 103(a) as being unpatentable over Teixeira (6483779) in view of Neumann et al (EP01119508 which is related to Neumann et al US2003/0036915A1)

Regarding Claims 1 Teixeira teaches a chassis mountable on a wall fig.1 (column 4 lines 31-32), at least one electronic display (fig.2 #13) framed by a window (fig 2 #12) on said chassis, (column 4 lines 24-28). Further, Teixeira teaches a central processing unit and a clock (column 4 lines 55-60) connected to said display and for updating said display based on a user-input received (column 4 lines 48-55) from an

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input device connected to said central processing unit. However, Teixeira does not teach when said facility was last maintained.

Neumann teaches using a janitorial service, at least one electronic display (monitor attached to cpu #3), said display for displaying a time when said facility was last maintained, a central processing unit and a clock (#3) connected to said display and for updating said display based on a user-input received from an input device (#1) connected to said central processing unit (#3) said user-input being received at a time substantially coterminous when said facility was last maintained.

It would have been obvious to one of ordinary skill in the art at the time of the invention to use Teixeira's time interval and event display device to display the time that a facility was maintained as taught by Neumann for the purpose of providing a solution for problems of quality assurance and quality improvement of maintenance by using a visual display device by providing day to day maintenance of restrooms facilities or similar. Furthermore, Teixeira also states that his invention can be used for people striving to complete work before a future time event often mentally calculate remaining times but are not always aware of periods of time remaining to complete a task. Teixeira's invention displays important events along with an associated continuing time indicator that will immediately remind the viewer of the event, indicate time interval from the event, and continue on in perpetual relation to the displayed event. If the depicted event is in the future, indicates and reminds the user of the time remaining to the displayed event to assist future planning and scheduling.

Regarding Claim 2 Teixeira and Neumann teach all of the limitation with respect to claim 1 as explained above, except in claim 2 Teixeira does not teach using an additional display for displaying a message when the facility was last maintained.

However, Neumann teaches an additional display for displaying a date when the facility was last maintained (Abstract).

It would have been obvious to one of ordinary skill in the art at the time of the invention to use Neumann's additional display to display the time that a facility was maintained in the device of Teixeira for the purpose of providing a solution for problems of quality assurance and quality improvement of maintenance by using a visual display device by providing day to day maintenance of restrooms facilities or similar.

Regarding Claim 3 Teixeira and Neumann teach all of the limitation with respect to claim 1 as explained above, except in claim 3 Teixeira does not teach using an additional display for displaying a message relevant to the facility.

However, Neumann teaches of an additional display for displaying a message relevant to the facility. (Abstract).

It would have been obvious to one of ordinary skill in the art at the time of the invention to use Neumann's additional display to display the time that a facility was maintained in the device of Teixeira as a means to informing the public about important information.

Regarding Claim 4 Teixeira and Neumann teach all of the limitation with respect to claim 1 as explained above, except in claim 4 Neumann does not teach using a

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trademark belonging to at least one of said facility and a cleaning services company contracted to maintain said facility (column 4 lines 15-21).

Teixeira teaches a trademark belonging to at least one of said facility and a cleaning services company contracted to maintain said facility (column 4 lines 15-21).

It would have been obvious to one of ordinary skill in the art at the time of the invention to use Teixeira's time interval and event display device to display the time that a facility was maintained as taught by Neumann for the purpose of providing a means to contacting the service company in case of an emergency or to call for services.

Regarding Claim 5 Teixeira and Neumann teach all of the limitation with respect to claim 1 as explained above, except in claim 5 Neumann does not teach using of a display is operable to display departure and arrival information of transportation vehicles associated with the depot.

Teixeira teaches a display is operable to display departure and arrival information of transportation vehicles associated with said depot (column 4 lines 15-21).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Teixeira's time interval and event display device with Neumann invention for the purpose of providing a display to inform the public of departure and arrival of transportation vehicles associated with said depot.

Regarding Claim 6 Teixeira and Neumann teach all of the limitation with respect to claim 1 as explained above, except in claim 6 Neumann does not teach using of a technology selected from the group consisting of liquid crystal display technology,

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organic light emitting diode display technology, thin film electroluminescent display technology, and cholesteric liquid crystal display technology.

Teixeira teaches a technology selected from the group consisting of liquid crystal display technology (column 3 lines 65-67).

It would have been obvious to one of ordinary skill in the art at the time of the invention to use Teixeira's time interval and event display device to visually inform or remind the viewer of continuous time intervals between a past event displayed on the device and the present time.

Regarding Claim 8 Teixeira and Neumann teach all of the limitation with respect to claim 1 as explained above, except in claim 8 Teixeira does not teach a modem-radio unit operable to communicate with at least one wireless-enabled remote computing device for uploading data corresponding to a history of times when the input device was actuated.

Neumann teaches modem-radio unit operable (fig 1 #3) to communicate with at least one wireless-enabled remote computing device (fig 1 #1) for uploading data corresponding to a history of times when the input device was actuated.

It would have been obvious to one of ordinary skill in the art at the time to, combine Teixeira's time interval and event display device, with Neumann's method of computer system for quality control of janitorial service. The advantage of combining the inventions provides a programmable device whereby a person or maintenance personnel can easily retrieve the information so that proper care of the facility can be given or taken care of.

Regarding Claim 9 Teixeira and Neumann teach all of the limitation with respect to claim 1 as explained above, except in claim 9 Teixeira does not teach a communication port unit operable to communicate with at least remote computing device for uploading data corresponding to a history of times when the input device was actuated.

Neumann teaches a data communication port for connected to the CPU (fig 1 #3), the communication port unit operable to communicate with at least remote computing device (fig 1 #1) for uploading data corresponding to a history of times when the input device was actuated

It would have been obvious to one of ordinary skill in the art at the time to, use Neumann's method of computer system and Teixeira's communication with a maintenance facility to provide a portable data information device programmable to function as a storage and retrieval device and provide indications of an occurrence and the impending occurrence of an event.

Regarding Claim 10 Teixeira and Neumann teach all of the limitation with respect to claim 1 as explained above, except in claim 10 Teixeira does not teach a remote computing device is operable to update said clock.

Neumann teaches a remote computing device (fig 1 #1) is operable to update said clock (fig 1 # 3).

It would have been obvious to one of ordinary skill in the art at the time of invention to add Neumann's remote computing device (palm pilot) with for updating a clock for facility maintenance with Teixeira's time interval and event display device to

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display the time. The advantage of combining the invention would provide a remote computing device for updating time and maintenance procedures from another remote location thereby the user or supervisor can maintain the facility when he or she is not in the vicinity of the device.

Claim 7 rejected under 35 U.S.C. 103(a) as being unpatentable over Teixeira (6483779) and Neumann et al (EP01119508 which is related to Neumann et al US2003/0036915A1) as applied to claims 1-6 above, and further in view of Green (4769765).

Regarding Claim 7 Teixeira and Neumann teach all of the limitation with respect to claim 1 as explained above, except in claim 7 Teixeira and Neumann do not teach using an input device selected from a group consisting of a lock-switch, a magnetic card reader and RF tag reader.

Green teaches an input device selected from a group consisting of a lock-switch, a magnetic card reader and RF tag reader (column 2 lines 12-15).

It would have been obvious to one of ordinary skill in the art at the time to, combine Teixeira's time interval and event display device and Neumann's method and computer system for quality control of janitorial service with Green's input device. The advantage of adding Green's invention with Teixeira and Neumann's invention provide a key or card containing information that may be set at times that the equipment may be operated if the remote computing device is inoperable.

Claim 11 rejected under 35 U.S.C. 103(a) as being unpatentable over Teixeira (6483779) and Neumann et al (EP01119508 which is related to Neumann et al US2003/0036915A1) as applied to claim 1-6 above, and further in view of Holloway (6273579).

Teixeira and Neumann teach all of the limitation with respect to claim 1 as explained above, except in claim 11 Teixeira and Neumann do not teach apparatus for powering the apparatus that includes a solar panel.

Regarding Claim 11 Holloway teaches (fig.1 column 2 line 30-33) a self-contained power-supply within said apparatus for powering said apparatus includes a solar panel.

It would have been obvious to one of ordinary skill in the art at the time to, combine a solar panel with the device of Teixeira, Neumann and Holloway's invention. The advantage of combining the inventions would be to provide the display device using a solar panel that can keep the display unit running without providing or changing batteries or energy supply.

Conclusion

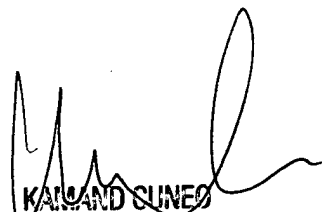
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Samuel L. Hagins whose telephone number is (571) 272-5982. The examiner can normally be reached on weekdays from 9:00 to 5:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kammie Cuneo, can be reached on 571-272-1957. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Samuel Hagins



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